

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 FEA-01 AGRE-00
CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 EPG-02
AID-05 SS-15 STR-04 ITC-01 TRSE-00 USIA-06 PRS-01
SP-02 OMB-01 /108 W

-----120108Z 008545 /64

R 110837Z MAY 77

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 7639

INFO USDEL MTN GENEVA

USMISSION OECD PARIS

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DEPARTMENT PASS EC CAPITALS

E.O. 11652: N/A

TAGS: GATT, JA

SUBJECT: JAPANESE REQUEST FOR GATT WORKINGPARTY ON ZENITH
TV DECISION

REFS: (A) GENEVA 3543; (B) GENEVA 3589

1. EMBOFF CALLED ON FOREIGN MINISTRY GATT DIVISION CHIEF
MASUDA OO ON MAY 11 TO DISCUSS JAPANESE DRAFT PROPOSAL TO GATT
COUNCIL TO ESTABLISH WORKING PARTY ON ZENITH TV CASE. WE ASKED
WHAT THE OBJECTIVE OF THE JAPANESE ACTION MIGHT BE, NOTING THAT
THE CREATION OF A NEW WORKING PARTY ON A TAX EXEMPTION CASE
MIGHT CONCEIVABLY RISK STIRRING UP DISCUSSION OF DISC AND
OTHER TAX PRACTICES. MASUDA IMMEDIATELY DISMISSED THAT RISK
AS MINIMAL, STATING THAT THE GOJ INTENDED TO LIMIT THE TERMS
OF REFERENCE OF ANY WORKING PARTY STRICTLY TO THE ZENITH
ACTION.

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2. HE SAID THAT JAPAN'S BASIC OBJECTIVE WAS TO SUPPORT THE
TREASURY DEPARTMENT APPEAL OF THE DECISION IN THE ZENITH CASE BY
GETTING GATT FORMALLY ON THE RECORD WITH A STATEMENT THAT
THE COURT DECISION CONTRAVENED GATT ARTICLES VI AND XVI.

3. HE SAID THAT THE U.S. COURT DECISION AND THE SUB-
SEQUENT SUSPENSION OF LIQUIDATION OF DUTY HAD A DIRECT

IMPACT ON JAPANESE TRADE INTEREST AND THAT THE GOJ HAD TO REACT IN DEFENSE OF GATT PRINCIPLES. FAILURE TO ACT MIGHT BE INTERPRETED AS INDIFFERENCE. HE ADDED THAT THE GOJ WANTED TO APPROVE A STATEMENT WHICH THE U.S. COURT MIGHT TAKE INTO CONSIDERATION.

4. HE LOOKS FORWARD TO ONLY ONE OR TWO WORKING PARTY MEETINGS CONCLUDING WITH AGREEMENT ON A BRIEF STATEMENT IN SUPPORT OF GATT PROVISIONS. HE SAID JAPAN WOULD OPPOSE A DISCUSSION OF DISC OR ANYTHING ELSE OTHER THAN ZENITH CASE. HE DID NOT EVEN WANT THE GROUP TO GO INTO POSSIBLE TEMPORARY MEASURES TO ALLEVIATE THE IMPACT OF THE COURT DECISION BY, FOR EXAMPLE, REDUCING OR WAIVING THE REQUIRED CUSTOMS BOND.

5. MASUDA WAS NOT AWARE OF THE DRAFT TEXT FURNISHED BY THE JAPANESE DELEGATION IN GENEVA CONTAINED IN REF (B). HE WANTS TO BE HELPFUL AND WOULD BE RECEPTIVE TO PROPOSALS FROM THE U.S. SIDE TO AMEND THE JAPANESE DRAFT TEXT.
SHOESMITH

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Message Attributes

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Concepts: TELEVISION, COMMITTEE MEETINGS, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Film Number: D770166-0778
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From: TOKYO
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770568/aaaacglh.tel
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Litigation History:
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Original Previous Classification: n/a
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